

# **HIARNG Comments to HDOH 2014 Draft NPDES permit No. HI-S000052 and DOH Responses**

Reviewer	Page No.	Section	Comment	DOH Responses
TP	1	NA	Delete "except Kalaeloa"	HIARNG Kalaeloa was covered by the previous NPDES permit but was not required to comply with the MS4 requirements. It is DOH's understanding that there is no MS4 system at the Kalaeloa facility and that the storm water volume is handled by dry wells. HIARNG Kalaeloa has been added to the permit and will be expected to comply with the requirements of the permit.
TP	3	A2	revise "location" to locations	Done.
TP	5	B2	Add "Incidental non-commercial car washes"	According to Part B.2., HIARNG may develop a list of other similar occasional incidental non-storm water discharges (e.g., non-commercial car washes, etc.) that will not be addressed as illicit discharges. SWMP must address these additional discharges.
TP	10	D.1.a(1)	Delete "Housing Residents, School Children, and General Public" (HIARNG does not have any schools or housing on our property)	Done.

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TP	10	D.1.a(1)	Delete "automotive detailing, retail gas stations, and restaurants" HIARNG does not have these activities on our property	Done.
TP	10	D.1.a(2)	Delete " Public Service Announcements, and School Programs" (HIARNG does not have schools or public tenants)	Done.
TP	11	D.1.a(3)	Delete "housing residents" replace with "facility occupants and tenants"	Done.
TP	11	D.1.a(3)	Delete "participation in events" replace with "number of public outreach events"	Done.
TP	11	D.1.a(3)	Delete "volunteer hours" replace with "number of volunteers who attend public outreach events"	Done.
TP	11	D.1.b	Replace "the public" with "Army National Guard Leaders, facility management , and facility occupants."	Done.
TP	11	D.1.b	Replace "local offices" with the HIARNG Environmental Office"	Done.
TP	13	D.1.c(3)	Replace "Tax Map Key" with "installation name and building number"	Included both in case the information is for a location off of HIARNG property.
TP	13	D.1.c(8)	revise "staff" to "environmental officers (EO) and facility personnel"	Done.
TP	16-18	D.1.d(5)	Recommend consolidating <i>Inspection</i> section to group together all construction projects regardless of size or permit type. Paragraph (ii) says inspect projects monthly, then paragraph (iii) says inspect projects at least annually. For simplicity and ease of interpretation of permit conditions, please revise entire section and require a monthly inspection for all construction projects regardless of permit type and size.	Done.

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TP	16	D.1.d(5)(i)	What is the definition of "qualified inspector" what qualifications do they need?	The SWMP has to define what a "qualified inspector" is. Qualifications are to include adequate formal and on-the-job training to ensure compliance with Federal, State & local water pollution requirements.
TP	16	D.1.d(5)(i)	Replace " Inspector shall identify and remedy any site conditions" with " Inspector shall identify, document, and report any site conditions... to the party responsible for BMP maintenance"	Done with revision. Parties, including contractor, owner, and/or EO.
TP	17	D.1.d(5)(ii)	Delete paragraph " Upon three(3) successive monthly inspections that indicate, in total, no critical or major deficiencies.....This reduced inspection frequency option is contingent upon permittee having defined each type of deficiency" HIARNG would like to delete this entire contingency and inspect all construction sites monthly regardless of inspection results.	Done.
KM	17	D.1.d.(5)(ii)	As stated "In addition to inspections required by the NPDES permit program, all contract, in-house and maintenance construction projects shall be inspected . . . ." It is unclear if this includes "all" projects, e.g., indoor, minor repair projects, projects by location, level and description not explicitly requiring NPDES-related BMPs, etc.? Further, if "all" projects require monthly inspection, for non-water quality impacting projects, please explain definition of a deficiency and associated levels of deficiencies?	These are projects that involve "ground-disturbing activities".

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KM	17	D.1.d.(5)(ii)	For stated time limits on completing corrective actions, please advise if more time to correct deficiencies is needed beyond that what is allotted for each level of deficiency. HIARNG Environmental Office (ENV) may only communicate with non-ENV contractors through the HIARNG project proponent, i.e., Construction Facilities Management Office's (CFMO) Contract Representative (COR), G3 (Operations) COR, etc. There often times is a delay in communications due to this indirect procedure. Further, if major changes within a project is required to correct a deficiency, sometimes a project change order (Contract revision) may be required (often times requiring an extended delay).	HIARNG is responsible for complying with the NPDES Permit. ENV must coordinate w/CFMO COR, etc. to meet the req'ts of the permit.

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KM	18-19	D.1.d.(6)	<p>Recommend changing "Enforcement" to "Compliance" program, in general. HIARNG contractor requirements are defined in specific contracts. Violating contractors are required to comply with all applicable federal, state and applicable laws and regulations, which include all applicable environmental requirements such the Clean Water Act, NPDES permit requirements. A contractor is found in violation of a NPDES permit requirement is, therefore, determined to be in non-compliance an applicable environmental law/regulation. The violating contractor is then required to correct the NPDES permit requirement or be in non-compliance with the contract general requirement to comply with all applicable federal, state and local laws and regulations. Contractors who are in contract non-compliance are subject to prescribed contract penalties and sanctions. Are these general requirements and sanctions for contract non-compliance adequate to meet the Draft NPDES Permit "Develop/implement Enforcement policies and Enforcement Plan" requirements OR are HIARNG's Enforcement/Compliance policies and Enforcement Plan required to be specific to the requirements of the subject DRAFT NPDES Permit?</p>	Done. HIARNG's proposal is sufficient.
TP	20-21	D.1.e.(1)	<p>Please clarify if permittee's revised "Plan for requiring LID standards" are due to DOH for review within 6 months, or 12 months from effective date of this permit. 1st paragraph, 2nd sentence says 6 months but last paragraph, 1st sentence says 12 months ? Language in this section is confusing, recommend revising to clarify since currently there are no "standards" in place for HIARNG. Recommend consolidating the multiple plan and submittal requirements in permit so permittees can meet all requirements in permit with a comprehensive plan versus multiple documents.</p>	The first deadline is to revise the post-construction requirements to include LID techniques. The second deadline is to establish the minimum LID requirements.

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TP	23	D.1.f.(1)(i)	Please explain what is meant by inventory of "maintenance equipment" ? Is this referring to extra supplies of filter fabric and silt fences? Recommend revising or deleting to avoid confusion.	No, "maintenance equipment" refers to equipment used to maintain the MS4. Examples are: street sweepers, pumper trucks, etc.
CB	25	D.1.f(2)(i)	Revise paragraph to: (i) Certification – All employees or contractors or employees of contractors applying chemicals (e.g., pesticides, herbicides, fertilizers) shall have current and possess commercial certification by the State of Hawaii Department of Agriculture or DoD Certificate of Competency in the appropriate EPA-approved state categories. Certification information shall be provided to the Pest Management Coordinator prior to the application of chemicals. The Permittee shall develop an Approved Pesticides Use List of chemicals to be used. Employees or contractors or employees of contractors shall not deviate from the Approved Pesticides Use List of chemicals without prior approval from the Pest Management Coordinator. The Permittee shall not permit the application of fertilizers, pesticides, or herbicides unless the applier has provided proper certification.	Done. Section D.1.f(2)(ii) revised to include training regarding sensitive areas and water pollution control.
CB	26	D.1.f(2)(iii)	Add paragraph: (iii) Records and Reports – The Permittee shall require the reporting of all chemical (e.g., pesticides, herbicides, fertilizers) applications on DD Form 1532-1. All employees or contractors or employees of contractors shall prepare, submit, and maintain daily pest management records and reports for each pest management service provided to include surveillance, non-chemical controls and chemical applications. All DD Form 1532-1 records shall be submitted monthly to the Pest Management Coordinator.	Done.

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CB	26	D.1.f(2)	Revise paragraph to: The Permittee shall ensure that their employees or contractors or employees of contractors applying EPA registered pesticides, herbicides, and fertilizers work under the direction of a are appropriately certified applicator, follow the pesticide chemical label, and comply with any other State, City, or Federal regulations for pesticides, herbicides, and fertilizers. All Permittee employees or contractors or contractor employees applying pesticides, herbicides or fertilizers shall receive training on the BMPs annually.	Done.
TP	26	D.1.f(3)(i)	Please specify if there is a submittal deadline for Erosion Control BMP Plan?	No, there is not a submittal deadline.
TP	28	D.1.g	Recommend deleting the word "initially"	Done.
TP	28	D.1.g(1)	Recommend inserting the word "permittee's" before MS4	Done.
TP	28	D.1.g(2)	Please specify a deadline for submittal of the Inventory and Map of Industrial Facilities/Activities	Revised to be submitted in the Annual Report.
TP	31	D.1.g(5)	Please advise how DOH recommends HIARNG inspects adjacent commercial/industrial facilities. What do we do if an adjacent property owner denies access to HIARNG?	Per Part D.1.g.(1) and (3), HIARNG shall implement a program that requires a permit or written equivalent approval for drainage connections and discharge of surface runoff into the Permittee's MS4 and allows conducting inspections as a result of a facility's failure to comply.

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TP	32	D.1.g(5)	Recommend deleting "The permittee shall submit semi-annual inspection report to the DOH by October 31st and April 30th for inspections done within the previous period" and replace with "The permittee shall submit records and results of all inspections with the annual report for the previous calendar year"	Done, but the subject period is the previous fiscal year.
TP	32	D.1.g(6)	Recommend including a contingency in the event an adjacent property owner does not communicate with HIARNG regarding NPDES permit coverage and SWPPP.	HIARNG shall establish this contingency as part of Part D.1.g.(3).
TP	32	D.1.g(7)	Recommend specifying what type of "annual training" is required for inspectors? Is there an industry standard certification all inspectors should have?	It is HIARNG's responsibility to design the training program for its inspectors. "This training shall be specific to the Permittee's activities, policies, rules, and procedures."
TP	34	E.1	Recommended deleting all industrial facilities on the list except Army Aviation Support Facility No.1 (AASF-1) Wheeler Army Airfield. None of the other facilities are considered "industrial" as defined by 40 CFR 122.26(b)(14)	Done.
TP	34	E.2	Recommend deleting "collecting stormwater samples and analyzing samples for temperature and pH"	Done, however in the event that a qualifying storm event that requires storm water runoff monitoring, discharge samples shall be collected and temperature and pH shall be analyzed within 15 minutes of the start of the discharge.

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TP	36	F.1.a	Recommend revising to " the permittee shall include a Monitoring Plan in the SWMP that describes how the permittee will implement the annual monitoring requirements set forth in this permit"	The permit requirement remains unchanged.
TP	38	F.2	Delete metals (Aluminum to Zinc) from effluent parameters. Welding does not occur at any HIARNG facilities and therefore analysis for metals is not applicable to this permit	Done. However, toxic pollutants associated with the industrial activity shall be monitored, as applicable.
TP	40	Notes 10 and 11	Delete notes 10 and 11, not applicable to HIARNG since welding does not occur at RTSM or CSMS-1	Done.
TP	42	G.1.a	Revise annual report submittal date to January 1st	Done.
TP	49	Maps Part 1.a.	Delete CSMS #1, no longer occupied by HIARNG	Done. HIARNG provided new maps.
TP	50	Maps Part 2.a. & b.	Combine UTES and RTSM and rename "Training Station Waiawa and Pearl City Readiness Center"	Done. HIARNG provided new maps.
TP	51	Maps Part 1. 3.a.	Add building number 832 and 825 to AASF-1 facility	Done. HIARNG provided new maps.
TP	51	Maps Part 1 3.b.	Delete Building 1073 - Company B&C 193rd Aviation Armory; This facility is synonymous with AASF-1	Done. HIARNG provided new maps.
KM	51	Maps Part 1 4	Add Map of HIARNG Kalaeloa, Kapolei, Oahu 96707 which will now be covered by permit	Done. HIARNG provided new maps.
Initials		Commenter Name	Commenter Title	07026PSS.14b
KM		Karl Motoyama	HIARNG Compliance Program Manager	
TP		Tiffany Petersen	HIARNG Water Quality Program Manager	
CB		Craig Blaisdell	HIARNG Natural Resources Field Manager	